

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
Minutes of Meeting
October 15, 2013

EXECUTIVE SESSION

Motion by Mrs. Nadeau and seconded by Mr. Quirion to enter into Executive Session at 7:01 p.m. pursuant to 1 M.R.S.A. ss 405(6)(E); Consultations with legal counsel regarding a Sewer Billing Agreement and property matters and 1 M.R.S.A. ss 405(6)(D); Labor negotiations for Police Contract. Motion carried. Unanimous.

Motion by Mr. Twitchell to exit Executive Session at 7:30 p.m.

PUBLIC HEARING

1. Ordinance No. 1-2013: Providing for An Amendment to Chapter 2 of the Winslow Ordinances, By adding Finance Policies for Tax Exempt Obligations.

With no Public Comment, Chairman Saint Amand closed the Public Hearing and opened the Regular Meeting at 7:34 p.m.

REGULAR MEETING

1. Roll call attendance was taken with six (6) members present.

Ray Caron, Ken Fletcher, Catherine Nadeau, Jerry Quirion, Gerald Saint Amand and Benjamin Twitchell. Steve Russell was absent.

Michael Heavener, Town Manager was present along with Attorney Bill Lee and Police Chief Jeff Fenlason.

2. Recite the Pledge of Allegiance.
3. Approval of Minutes of Previous Meetings

Motion by Mr. Quirion and seconded by Mr. Twitchell that the minutes of the meetings held on September 9 and September 16 be approved. Motion carried. Unanimous.

4. Communications

- a. Legislative Update
- b. Other

1. Copy of Minutes from Kennebec Water District meetings held August 1.
2. Copy of Minutes from the Winslow Safety Committee meeting held August 21.

3. Copy of Minutes from Kennebec Sanitary Treatment District meeting held August 8 & September 12.
4. Copy of Minutes from Winslow Planning Board Meetings held June 19 & September 4.
5. Copy of Winslow School Board Agenda for September 23.
6. Copy of Minutes from Winslow School Board meeting held August 26.

5. Reports of Committees and Commissions

a. Town Manager's Report

FORMER PW GARAGE

In 2007 we enrolled in the Brownfield Program administered by KVCOG. The reason for enrolling was to determine if hazardous soil contamination had occurred at the site of our former Public Works Garage. The former garage had been used by our Public Works Department since 1967.

In December of 2011, Weston & Sampson Engineers issued the results of their environmental assessment of the site. In January of 2012, Maine DEP proposed some amendments to the assessment and in May of 2012 the assessment was amended.

Included with my report is Maine DEP's January 2012 response and proposed amendments to the assessment. As you will see, harmful vapors were detected in the soils of the site. I met with representatives from DEP and I concluded it would be beneficial to install an active sub slab depressurization system in the garage on the site. It was likely the system would stop and reverse the outward migration of harmful vapors from the site.

Public Works installed the system in the spring of 2013 and in the summer of 2013 Maine DEP conducted follow-up testing at the site. The follow-up testing verified that the system was working effectively.

The Maine DEP is recommending that we now complete their Voluntary Response Action Program (VRAP). If we successfully complete the program then DEP would issue us a "No Action Assurance" letter indicating DEP would take no enforcement action against the Town. Once we receive the VRAP certification we will be free to sell the property. We will likely have some restrictions placed on the site such as the following:

- 1) No groundwater extraction or use without DEP approval.
- 2) Construction of future buildings should include a vapor intrusion assessment and/or vapor barrier.
- 3) A soil management plan will need to be developed for future subsurface excavation.

DEP has indicated that we can now rent or lease the site for commercial use.

In the Council packet is Resolution No. 30-2013, which if approved will authorize me to submit a VRAP application to the Maine DEP.

AGRICULTURAL WORKING GROUP

Earlier this year the Town Council formed the Town's Agricultural Working Group. The Council also authorized me to sign an agreement with the Maine Farmland Trust to do the following:

- Look at town policies and procedures to make sure they are farm friendly.
- Review our land use ordinances to make sure they are farm friendly.
- Explore opportunities for conserving important farm soils that are as yet undeveloped to ensure the community's long term ability to grow food.

The Working Group has conducted a survey of property owners in Winslow who own farmable land. The results of the survey have been compiled into a report and the report will be shared at the event described below.

The Agricultural Working Group and the Maine Farmland Trust are hosting a “Kennebec Region Farming Open House and Forum”. The event will be held on October 25th from 5:00 pm to 8:30 pm at the Winslow VFW. A flyer for the event is attached to my report and Council members are encouraged to attend.

COURT STREET LAND

This past summer we put the remaining 4+ acres on Court Street out to bid and we did not receive any offers for the land. At this point I recommend that we contract with a realtor to sell the property for us.

FORT HALIFAX PARK GRANT OPPORTUNITY

The Maine Bureau of Parks and Land is currently accepting grant applications for the Land and Water Conservation Fund. The grant deadline is in November and recipients of the grant will have two years to complete the project.

Our project costs are as follows:

Design/Engineering/Permitting:	\$ 18,720
State and Federal Review(s):	\$ 3,000
Construction:	\$156,000
Construction Oversight/Engineering:	\$ 15,600
Total Cost	<u>\$193,320</u>

There is a 50% match requirement so our share of the project would be **\$96,660**. Since we have two years to complete the project we could spread our share of the cost out over two budget cycles.

The Fort Halifax Park Implementation Committee is agreeable to conducting fund raising activities to help fund the Town’s share of the project.

In the Council packet is Resolution No. 32-2013, which if approved will authorize me to submit the grant to the Maine Bureau of Parks and Land.

SEWER ACCOUNT FORECLOSURES

On August 1st we foreclosed on two properties due to nonpayment of sewer liens. I have put this matter as a discussion item on our agenda for the October 15th Council meeting. I would like to know if the Council would support amending our Tax Acquired Property Ordinance to allow sewer customers to reacquire their property as well. If so, I will be asking to make the amendment retroactive to sewer foreclosures in 2013.

KV GAS DISTRICT

There has been an ongoing discussion about the formation of the KV Gas District among area town managers. At this point it is being recommended that the communities of Fairfield, Oakland Waterville and Winslow form an advisory committee called the Municipal Natural Gas Advisory Committee. The purpose of the committee will be to:

- 1) Explore costs and benefits related to the establishment of a municipal Natural Gas District that has been created by the Maine Legislature.
- 2) Explore costs and benefits of establishing a tax increment financing district and the potential uses of those funds for the benefit of the municipalities and their residents and businesses.
- 3) Explore options to assist the public, including residents and businesses, with a comprehensive approach to energy efficiency programs and assistance, including public advocacy and consumer protection related to heating system conversions.

It is recommended that each town manager be appointed to the committee and one representative from each community. We can discuss this further at our meeting on the 15th.

KRDA BOARD VACANCY

Howard Mette and Michael Byrne currently represent the town on the Kennebec Regional Development Authority (KRDA) Board. The Board oversees the operations at FirstPark.

We currently have an opening for an alternate Board member. I advertised the vacancy on our website and received one request for more information on the board position. At this point no one has volunteered to fill the vacancy. We can discuss this further at our meeting.

PARKS & REC DIRECTOR POSITION

As you know I have advertised for the Parks & Rec Director position. The deadline for applications is Monday, October 28th. I will be forming a selection committee consisting of representatives from the Park & Rec Board and the School Department. I would also like to have at least one Council member participate in the process. We can discuss this further at our meeting.

TOWN OFFICE FLOORING

I would like to improve the flooring at the entrance to the town office on the parking lot side of the building. First, I would like to have a thick matt installed between the two doors. The matt should be sufficient to collect all sand, snow and ice. Secondly, I would like to have a smooth ceramic tile installed from the second interior door to the basement door. The tile is low maintenance and does not require waxing. The cost for this improvement will be approximately \$2,000. We can discuss this further at our meeting.

TOWN OFFICE ROOF RE-ENFORCEMENT UPDATE

Becker Structural Engineers have completed their drawings of the roof repair. They are now preparing the construction documents so the project can be put out to bid. I hope to have a ball park estimate to do the project by our meeting next

Actions taken by the Council during Manager's Report

Chairman Saint Amand nominated Councilor Fletcher to serve on the Municipal Natural Gas Advisory Committee along with the Town Manager. Motion carried. Unanimous.

Chairman Saint Amand nominated Councilor Fletcher to serve on the KRDA Board as an alternate Member. Motion carried. Unanimous.

Chairman Saint Amand nominated Councilor Caron to serve on the selection committee for a Parks and Recreation Director. Motion carried. Unanimous.

b. Department Reports

Reports were received from the Assessor, Code Enforcement, Police Department, Public Works, Fire Department and Library.

- c. Treasurer's warrant approved and signed by the Finance Committee during the Month of September.

No. 4.....	\$ 1,574,083.98
No. 5.....	\$ 297,712.20
No. 6.....	<u>\$ 348,085.67</u>

Total	\$ 2,219,881.85
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- d. Financial Report

Motion by Mr. Twitchell and seconded by Mr. Quirion to approve all reports.
Motion carried. Unanimous.

UNFINISHED BUSINESS

1. Ordinance No. 1-2013: Providing for An Amendment to Chapter 2 of the Winslow Ordinances, By adding Finance Policies for Tax Exempt Obligations. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Ordinance No. 1-2013. A roll call vote was taken.

Ben Twitchell—Yes	Catherine Nadeau—Yes
Ray Caron—Yes	Ken Fletcher—Yes
Jerry Quirion—Yes	Gerald Saint Amand—Yes

Motion passed, 6 – 0.

2. Order No. 7-2013: Providing for the Sale of a Small portion of Land Located off the Abbott Road. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Order No. 7-2013. A roll call vote was taken.

Ken Fletcher—Yes	Ben Twitchell—Yes
Jerry Quirion—Yes	Ray Caron—Yes
Catherine Nadeau—Yes	Gerald Saint Amand—Yes

Motion passed, 6– 0.

NEW BUSINESS

1. Order No. 8-2013: Providing for the Installation of a Street Light on the China Road near Joseph's Flooring. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to accept the First Reading of Order No. 8-2013. A roll call vote was taken.

Ray Caron—Yes	Jerry Quirion—Yes
Ben Twitchell—Yes	Catherine Nadeau—Yes
Ken Fletcher—Yes	Gerald Saint Amand—Yes

Motion passed, 6 – 0.

2. Order No. 9-2013: Providing for the Acceptance of a Labor Contract Between the Winslow Full-Time Police Officers Association and the Town of Winslow. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and Seconded by Mr. Twitchell to accept the First Reading of Order No. 9-2013. A roll call vote was taken.

Catherine Nadeau—Yes	Ben Twitchell—Yes
Ray Caron—Yes	Jerry Quirion—Yes
Ken Fletcher—Yes	Gerald Saint Amand—Yes

Motion passed, 6 – 0.

3. Resolution No. 30-2013: Providing for Authorization for the Town Manager to Submit a Voluntary Response Action Plan (VRAP) to the Maine Department of Environmental Protection for the Site of the Former Public Works Garage. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 30-2013.
Motion carried. Unanimous.

4. Resolution No. 31-2013: Providing for Authorization for the Town Manager to Contract with a Realtor to sell 4+ Acres of Town Owned Land on Court Street. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 31-2013.
Motion carried. Unanimous.

5. Resolution No. 32-2013: Providing for Authorization for the Town Manager to Submit a Grant to the Maine Bureau of Parks and Land in an amount of \$96,660 for the Fort Halifax Project, which requires a 50% Match. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 32-2013.
Motion carried. Unanimous.

6. Resolution No. 33-2013: Providing for Authorization for the Town Manager to Sign the Attached Sewer Billing Agreement with the Vassalboro Sanitary District. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 33-2013.
Motion carried. Unanimous.

DISCUSSION

- The Council agreed with Mr. Heavener to amend Ordinance No. 6-2011; Foreclosure of Real Property to include Sewer Foreclosures and make it retroactive to include the recent Sewer Foreclosures. Mr. Heavener will bring the amendments forward at the November 12 Meeting

ADJOURNMENT

Motion by Mr. Twitchell and seconded by Mr. Quirion to adjourn the meeting.

Motion carried. Unanimous.

The meeting adjourned at 8:35 p.m.

ATTEST: _____
Town Clerk of Winslow Maine